



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

# MICHIGAN LAW REVIEW

## CONTENTS

THE EXTENSION OF JUDICIAL REVIEW IN NEW YORK . . . . .	<i>Edward S. Corwin</i>	281
THE CARMACK AMENDMENT IN THE STATE COURTS . . . . .	<i>Wayland H. Sanford</i>	314
NOTE AND COMMENT . . . . .		325
Simplification of Judicial Procedure in Federal Courts . . . . .		325
What Words Create a Power? . . . . .		326
What Obligations Are Included in the Description of "Implied Contracts"? . . . .		332
Constitutional Amendments, Self-Executing and Otherwise, Providing for the Initiative and Referendum . . . . .		334
When is Death Instantaneous? . . . . .		339
RECENT IMPORTANT DECISIONS . . . . .		342
Adverse Possession: Mistake . . . . .		341
Annulment of Marriage; Inherent Powers of Equity to Grant . . . . .		342
Bankruptcy: Enforcement of Liens After Bankruptcy . . . . .		343
Bankruptcy: Jurisdiction of Supreme Court . . . . .		344
Bankruptcy: Preference in Enforcement of Lien . . . . .		345
Bills and Notes: Accommodation Co-maker Not Discharged by Extension of Time for Payment . . . . .		346
Bills and Notes: Rights of Donee of a Sunday Note . . . . .		347
Common Law Marriage: Necessity of Cohabitation to Constitute . . . . .		347
Constitutional Law: Defrauding Government . . . . .		348
Constitutional Law: Equal Protection of Laws in Interstate Commerce . . . . .		349
Corporations: Effect of Surrender of Charter . . . . .		351
Corporations: Personal Liability of Stockholders of Unregistered Foreign Corporation . . . . .		351
Counterclaim: When Barred in Equity by the Statute of Limitations . . . . .		353
Criminal Law: Indefinite Suspension of Sentence . . . . .		354
Evidence: Necessity for Corroboration in Divorce Action . . . . .		354
Evidence: Res Gestae in Abortion . . . . .		355
Infants: Bills and Notes . . . . .		356
Landlord and Tenant: Surrender . . . . .		357
Libel and Slander: Words Libelous Per Se . . . . .		358
Municipal Corporations: Liability for Negligence in Public Celebrations . . . . .		358
Negligence: Of Ferryman . . . . .		359
Pleading: Special Defense as to Sunday Contract . . . . .		360
Rule in Shelley's Case . . . . .		361
Sales: Validity of Bulk Sales Act . . . . .		362
Specific Performance: Of Contract to Adopt . . . . .		363
Subrogation: Taxes Paid by Mistake . . . . .		364
BOOK REVIEWS . . . . .		365
Massie's The Torrens System, 365; McBain's The Law and the Practice of Municipal Home Rule . . . . .		367

UNIVERSITY OF MICHIGAN  
LAW SCHOOL  
ANN ARBOR, MICHIGAN

Copyright, 1916, by EVANS HOLBROOK, Trustee

Entered November 1, 1902, at Ann Arbor, Mich., as Second-Class Matter  
under Act of Congress March 3, 1879

\$2.50 per year in advance, eight numbers.

35 cents per number

Foreign Subscriptions, \$3.00

Address all communications to MICHIGAN LAW REVIEW, Ann Arbor, Michigan

JUST PUBLISHED

# CHAPIN ON TORTS

HORNBOOK SERIES

By H. Gerald Chapin

*Professor of Law in Fordham University, New York City, and in  
the New Jersey Law School, Newark, N. J.*

## Table of Contents

### *Part I. General Principles*

1. The Tort Concept.
2. Legal Responsibility as Dependent Upon Condition of Mind and Proof of Damage.
3. Liability Under the Legal Rules Defining Cause and Effect.
4. Defenses.
5. Parties.
6. Same Continued.
7. Conflict of Laws.

### *Part II. Specific Torts*

8. Infringement of Personal Security.
9. The Right of Privacy.

10. Injuries to Reputation—Defamation.
11. Infringement of Private Property—Trespass.
12. Same Continued—Conversion.
13. Same Continued—Waste.
14. Same Continued—Fraud.
15. Same Continued—Slander of Title.
16. Same Continued—Interference with Contractual Rights.
17. Interference With Domestic Relations.
18. The Obstruction and Perversion of Legal Remedies.
19. Negligence.
20. Nuisance.
21. Conspiracy.

**709 pages**

**Buckram Binding**

**\$3.75 delivered**

---

## CHAPIN'S CASES ON TORTS

Hornbook Case Series

*A Casebook to Accompany Chapin on Torts*

**396 pages**

**Buckram binding**

**\$2.50 delivered**

---

**West Publishing Company**

**St. Paul, Minn.**